

UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF PENNSYLVANIA

SHAMARA T. KING, on
behalf of herself and all others similarly
situated,

Plaintiff,

v.

GENERAL INFORMATION SERVICES,
INC.,

Defendant.

Case No.: 2:10-cv-06850-PBT

NOTICE OF CONSTITUTIONAL QUESTION

Defendant General Information Services, Inc. (“GIS”) hereby submits this Notice of Constitutional Question to the Attorney General of the United States.

Section 1681c of the Fair Credit Reporting Act, 15 U.S.C. § 1681c, prohibits consumer reporting agencies from disclosing public information about an individual’s criminal record (other than the fact of a criminal conviction) if the information is more than seven years old. The constitutional question raised in GIS’s motion for judgment on the pleadings is whether, in light of *Sorrell v. IMS Health Inc.*, 131 S. Ct. 2653 (2011), the statute violates the First Amendment because it is a content- and speaker-based restriction on truthful commercial speech that does not survive “heightened” constitutional scrutiny.

GIS’s constitutional argument is set out in detail in its Motion for Judgment on the Pleadings with Supporting Memorandum of Law, which GIS has served on the Attorney General together with this Notice.

Respectfully submitted this 16th day of September, 2011.

/s/ John P. Jett

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CERTIFICATE OF SERVICE

I hereby certify that on September 16, 2011, I electronically filed the foregoing NOTICE OF CONSTITUTIONAL QUESTION with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to all attorneys of record:

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and in addition served a copy by certified mail on the following:

Eric Holder
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/s/ John P. Jett
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